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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR-07-0102 PJH
	)	
Plaintiff,	)	DEFENDANT'S MOTION AND
	)	<del>PROPOSED</del> ORDER GRANTING
v.	)	MOTION TO STAY ORDER RE:
	)	COMPETENCY EVALUATION
JOSE ANGUIANO-GONZALEZ,	)	
	)	
Defendant.	)	
	)	

On May 30, 2007, this Court indicated its intention to issue an order that the defendant be transported to a Bureau of Prisons facility for a competency evaluation. The Court granted defense counsel's request that any such order be stayed for 48 hours to permit the defendant to consider how to proceed.

Defendant now respectfully moves the Court to further stay its order until the parties' next scheduled appearance on June 27, 2007. This continuance will permit defense counsel to review the medical and mental-health records produced by the California Department of Corrections in response to the defendant's subpoena; to obtain further information concerning the course of treatment that the defendant recently began receiving at Santa Rita Jail; and to assess the defendant's progress in response to treatment.

1 The defendant does not oppose an exclusion of time under the Speedy Trial Act for these  
2 purposes. Specifically, the defendant is amenable to an exclusion of time for effective  
3 preparation of counsel given the new information that has recently become available concerning  
4 the defendant's mental health.

5 Dated: May 31, 2007

6 Respectfully submitted,

7 BARRY J. PORTMAN  
8 Federal Public Defender

9 /s

10 JOSH COHEN  
11 Assistant Federal Public Defender

12 **ORDER**

13 Accordingly, and for good cause shown, defendant's motion to stay is hereby granted.  
14 This Court's order that the defendant be transported to a Bureau of Prisons facility for a  
15 competency evaluation shall be stayed pending further proceedings in this matter on June 27,  
16 2007 at 1:30 PM.

17 IT IS SO ORDERED.

18 Dated: 6/1/07

